

Panaji, 28th June, 1984 (Asadha 7, 1906)

SERIES II No. 13

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Order

No. 6/6/74-PER-Part

Read: i) Order No. 3-17/74-PER(Vol.I) dt. 12-2-1981.

ii) Order No. 3-17/74-SPL dt. 6-11-1976.

The Administrator of Goa, Daman and Diu is pleased to grant Proforma Promotion with effect from 6-11-1976 to Shri Balaji Counto in the Grade I (Selection Grade) post of the Goa, Daman and Diu Civil Service in the pay scale of Rs. 1100-50-1600 for the purpose of his pay fixation/ regulation of increments in the Selection Grade post of the said service.

2. It is certified that all his seniors are drawing pay in the Selection Grade on or before 6-11-1976, and the junior Officers next below him also started drawing pay in the

Grade I (Selection Grade) post of the service from the date Shri Counto has been granted proforma promotion.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 19th June, 1984.

Order

No. 3/7/83-PER

On placement of his services at the disposal of this Administration by the Government of India, Ministry of Home Affairs vide their Order No. U-14020/8/84-UTS dated the 17th April, 1984, the Administrator of Goa, Daman and Diu is pleased to appoint Shri Aditya Arya, IPS (UT:1981) to the post of Sub Divisional Police Officer, Panaji from the date of his reporting to this Administration. From the date Shri Arya reports to this Administration, Shri N. Dilip Kumar, S.D.P.O., Panaji shall stand relieved of the additional charge of the post of S.D.P.O., Panaji.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 20th June, 1984.

Order

No. 31/1/84-PER

The Administrator of Goa, Daman and Diu is pleased to make the following transfers and postings of the following Officers holding Grade II posts of the Goa, Daman and Diu Police Service with immediate effect:—

Sr. No.	Name of the officer	Present posting	Posted on transfer
1	2	3	4
1.	Shri A. Rasquinho	Dy. Supdt. of Police, A & B Company, GRP	SDPO, Vasco vice Shri D. A. Prabhu Dessai transferred.
2.	Shri D. A. Prabhu Dessai	SDPO, Vasco	SDPO, Margao vice Shri K. K. Maheshwari, IPS transferred to Arunachal Pradesh.
3.	Shri N. Dilip Kumar	SDPO, Panaji	Dy. S. P., A & B Company vice Shri Rasquinho transferred. He will also assist the IGP in the exposition matter.

2. Shri N. Dilip Kumar shall continue to hold the post of SDPO, Panaji until he is relieved by Shri A. Arya, IPS.

3. Shri N. Dilip Kumar shall move first to relieve Shri A. Rasquinho.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 20th June, 1984.

Secretariat Administration and Coordination Division

Order

No. 1/2/83-SA&C

Ref: Order No. 1/2/83-SA&C(A) dated 24-5-1984.

The Administrator of Goa, Daman and Diu is pleased to issue the following transfers of Officers borne on the cadre of Mamlatdar/B. D. O./Enquiry Officer, City Survey/Joint Mamlatdar, with immediate effect and until further orders.

Sr. No.	Name of the officer	Present posting	New posting
1	2	3	4
1.	Shri P. X. Barreto	Mamlatdar, Collectorate of Goa.	Mamlatdar, Bardez.
2.	Shri R. Soares	Mamlatdar, Bardez.	Mamlatdar, Pernem.
3.	Shri C. H. Dalal	Mamlatdar, Daman.	B. D. O., Daman.
4.	Shri K. B. Surjuse	B. D. O., Daman.	Mamlatdar, Daman.

2. Shri P. X. Barreto and Shri C. H. Dalal will move first.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (S. A. & C.),
Panaji, 21st June, 1984.

Works, Education and Tourism Department
Directorate of Education

Order

No. DE/Acad-I/CEZ/T/20/78-79/1358

Read: - Government Order No. DE/Acad-I/Misc/1117/81/
/4692 dated 31st December 1981.

The matter regarding taking over of Management of New English High School St. Cruz, was receiving attention of the Government for sometime past due to voluntary surrender of the said Management with its assets and liabilities to Education Department. The 3 trustees of the school vide its letter dated 29-12-1983 have requested to the Department the take over of the school. The Government after careful consideration of the request of the school that Government desired to take over the Management of the school in public interest and in the interest of the students studying in the school for a period of 3 years initially from the academic year 1984-85 onwards as per the terms and conditions laid down in the aforesaid Rule 178 of the Grant-in-Aid Code vide Notification No. DE/Acad-I/Misc/1117/81/4692, dated

23-12-1981 published in Government Gazette Series I, No. 40 dated 31st December 1981. The Management informed its no objection vide letter dated 29-12-1983.

Now therefore, the Administrator of Goa, Daman and Diu is pleased to order that the Management of New English High School St. Cruz has been taken over by the Government with immediate effect for a period of 3 years in the first instance under the provision of rule 178 of G.I.A. Code and Shri V.M. Dessai Asstt. Director of Education Panaji Goa has been appointed as an Authorised Officer on behalf of the Director of Education Govt. of Goa, Daman and Diu and he shall discharge his duties as per the provision of G.I.A. Code. The Administrator is also pleased to order that every person incharge of the Management of New English High School St. Cruz immediately before its Management is taken over, shall deliver possession of school property to secure proper Management to the Authorised Officer.

By order and in the name of the Administrator of Goa, Daman and Diu.

L. Khiantge, Director of Education & Ex-Officio Additional Secretary to Government of Goa, Daman and Diu.

Panaji, 13th June, 1984.

Forest and Agriculture Department

Order

No. 2-9-79/AGR

The Administrator of Goa, Daman and Diu is pleased to order the transfer of following Assistant Agricultural Officers, Grade I (Group "B") in the pay scale of Rs. 650-1200 in the Directorate of Agriculture Panaji with immediate effect:

Sr. No.	Name	Present posting	New posting
1	2	3	4
1.	Shri G. M. Pujari	Zonal Agril. Office, Canacona	Zonal Agricultural Office, Pernem vice Shri G. K. Patil, transferred as Zonal Agril. Officer, Daman.
2.	Shri Ali Ahmed	Zonal Agril. Office, Curchorem	Head Quarters, Mango Development Officer vice Shri K. G. Nair transferred as Subject Matter Specialist (PP) at Zonal Agril. Office, Margao.
3.	Shri D. G. P. Gaonkar	Zonal Agril. Office, Margao	Zonal Agril. Office, Curchorem vice Shri Ali Ahmed, transferred as Mango Development Officer, Head Quarters.
4.	Shri C. L. Sharma	Subject Matter Specialist (PP) Margao	Zonal Agril. Office, Canacona vice Shri G. M. Pujari, transferred as Zonal Agril. Officer, Pernem.

1	2	3	4
5.	Shri K. G. Nair	Mango Dev. Officer, Panaji	Subject Matter Specialist (PP) at Zonal Agril. Office, Margao vice Shri C. I. Sharma transferred as Zonal Agril. Officer, Canacona.
6.	Shri P. N. Shukla	Zonal Agril. Office, Bicholim	Zonal Agril. Office, Margao vice Shri D. G. P. Gaonkar, transferred as Zonal Agril. Officer, Curchorem.
7.	Shri G. K. Patil	Zonal Agril. Office, Pernem	Zonal Agril. Office, Daman vice Shri W. M. Khande transferred as Zonal Agril. Officer, Bicholim.
8.	Shri W. M. Khade	Zonal Agril. Office, Daman	Zonal Agril. Office Bicholim vice Shri P. N. Shukla transferred as Zonal Agril. Officer, Margao.

2. Officers at Sr. No. 1, 4, 5 and 7 will move first.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. M. Naik, Under Secretary to the Govt. of Goa, Daman and Diu.

Panaji, 15th June, 1984.

Order

No. 18-6-82-FOR

On the recommendation of Departmental Promotion Committee, the Administrator of Goa, Daman and Diu is pleased to confirm Shri R. A. Mazalkar, against the post of Assistant Conservator of Forests, Group 'B' in pay scale of Rs. 650-1200 in the Forest Department with effect from 1-8-1979.

2. This issues with the approval of Union Public Service Commission vide their letter No. F.12/13(7)/83-AU-II dated 16-5-1984.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. M. Naik, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 15th June, 1984.

Local Administration and Welfare Department

Office of the Registrar of Co-operative Societies

Notification

In exercise of the powers vested in me under Section 9(1) of the Maharashtra Coop. Societies Act 1960, as applied to the Union Territory of Goa, Daman and Diu, Cosy Apartments Coop. Housing Society Ltd., Baina, Vasco-da-Gama, is registered under the code symbol No. HSG-(b)-126/Goa.

L. T. de Menezes, Dy. Registrar of Coop. Societies.

Panaji, 23rd April, 1984.

Certificate of Registration

Cosy Apartments Coop. Housing Society Ltd., Baina, Vasco-da-Gama has been registered on 23-4-84 and it bears registration No. HSG-(b)-126/Goa and it is classified as Housing Society under Sub-Classification No. 5(b) Tenant Co-partnership Housing Society in terms of Rule 9 of the Coop. Societies Rules 1962 for the Union Territory of Goa, Daman and Diu.

L. T. de Menezes, Dy. Registrar of Coop. Societies.

Panaji, 23rd April, 1984.

Notification

In exercise of the powers vested in me under Section 9(1) of the Maharashtra Coop. Societies Act 1960, as applied to the Union Territory of Goa, Daman and Diu, Konkani Coop. Housing Society Ltd., Fontainhas, Panaji is registered under the code symbol No. HSG-(a)-127/Goa.

L. T. de Menezes, Dy. Registrar of Coop. Societies.

Panaji, 18th May, 1984.

Certificate of Registration

Konkan Co-operative Housing Society Ltd., Fontainhas Panaji has been registered on 18-5-84 and it bears registration No. HSG-(a)-127/Goa and it is classified as Housing Society under Sub-Classification 5(a)-Tenant Ownership Housing Society, with the object of acquiring land and allotment of the same to its members for constructing residential houses, in terms of Rule 9 of the Coop. Societies Rules 1962 for the Union Territory of Goa, Daman and Diu.

L. T. de Menezes, Dy. Registrar of Coop. Societies.

Panaji, 18th May, 1984.

Notification

In exercise of the powers vested in me under Section 9(1) of the Maharashtra Coop. Societies Act 1960, as applied to the Union Territory of Goa, Daman and Diu, Progressive Women's Coop. Housing Society Ltd., Panaji Goa is registered under the code symbol No. HSG-(a)-128/Goa.

L. T. de Menezes, Dy. Registrar of Coop. Societies.

Panaji, 21st May, 1984.

Certificate of Registration

Progressive Women's Coop. Housing Society Ltd., Panaji Goa, has been registered on 21-5-84 and it bears registration No. HSG-(a)-128/Goa and it is classified as Housing Society under sub-classification No. 5(a)-Tenant Ownership Housing Society in terms of Rule 9 of the Coop. Societies Rules 1962 for the Union Territory of Goa, Daman and Diu.

L. T. de Menezes, Dy. Registrar of Coop. Societies.

Panaji, 21st May, 1984.

Notification

In exercise of the powers vested in me under Section 9(1) of the Maharashtra Coop. Societies Act 1960, as applied to

the Union Territory of Goa, Daman and Diu, Parag Coop. Housing Society Ltd., Ponda-Goa, is registered under the code symbol No. HSG-(b)-129/Goa.

L. T. de Menezes, Dy. Registrar of Coop. Societies.
Panaji, 25th May, 1984.

Certificate of Registration

Parag Cooperative Housing Society Ltd., Ponda-Goa has been registered on 25-5-1984 and it bears registration No. HSG-(b)-129/Goa and it is classified as Housing Society under sub-classification No. 5(b) Tenant Co-partnership Housing Society in terms of Rule 9 of the Coop. Societies Rules 1962 for the Union Territory of Goa, Daman and Diu.

L. T. de Menezes, Dy. Registrar of Coop. Societies.
Panaji, 25th May, 1984.

Office of the Asstt. Registrar of Cooperative Societies

Order

No. ARCS/DMN/Rec.due/160/Vol.I/84/1041

In exercise of the powers vested in me under the provisions of section 156 of the Maharashtra Cooperative Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu, I, K. B. Surjuse Block Development Officer and Asstt. Registrar of Coop. Societies, Daman hereby empower Shri C. D. Phaldessai, Senior Inspector of Coop. Societies, Daman to work as "Sale Officer" as defined in Rule 2 sub-Rule (h) of the Cooperative Societies Rule, 1962 for Daman District to attach and sale the movable properties of defaulters and execute any decree by attachment and sale of such property as per the procedure laid down in Rule 104 of the Cooperative Societies Rules, 1962 with immediate effect.

K. B. Surjuse, Block Development Officer and Asstt. Registrar of Coop. Societies.

Daman, 15th May, 1984.

Revenue Department

Notification

No. 22/55/83-RD

Whereas by Government Notification No. 22/55/83-RD dated 4-5-83 published on page 64 to 66 of Series II, No. 6 of the Official Gazette, dated 12-5-83 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. for improvement and blacktopping of road from Avedem to Cotombi via Baga at Avedem, Quepem.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after con-

dering the report made under sub-section (2) of Section 5A of the said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Land Acquisition Officer, PWD (CELL) Altinho, Panaji to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Land Acquisition Officer PWD (CELL) Altinho, Panaji till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Quepem	Avedem	10	1 part	Usha Narayan Shikerkar.	30.00
				2 part	Francisco Figredo.	15.00
				3 part	Francisco Figredo.	20.00
				4 part	Filip Fernandes.	15.00
				5 part	Francisco Figredo.	45.00
			9	1 part	Yeshwant Babu Porob Dessai.	75.00
				2 part	Krishna Yessu Porob Dessai.	
					Cipriano D'Cunha.	40.00
					Manuel D'Cunha.	

1	2	3	4	5	6	7
Quepem	Avedem	9	3 part	Antonio Antao.		35.00
			4 part	Pedro Fernandes.		40.00
			10 part	Kalu Kalekar.		12.00
				Ramchandra Vithoba Kalekar.		
				Boguru Vithoba Kalekar.		
				Krishna Sukdew Kalekar.		
			11 part	Raghu G. Kalekar.		15.00
			12 part	Kusta G. Kalekar.		25.00
		8	7 part	Brald Carvalho.		55.00
			15 part	Yeshwant Baby P. Dessai.		275.00
				Krishna Yesso Porob Dessai.		
		12	1 part	Carmino Fernandes.		10.00
			4 part	Shivanand Krishna Bhisso.		25.00
				Anant Dattu Bhisso.		
				Shambu Datta Bhisso.		
				Raghuvir Datta Bhisso.		
				Tarabai Gangaram Bhisso.		
			5 part	Narshiv G. Bhisso.		10.00
			6 part	Babhakar Govind Bhisso.		40.00
			16 part	Narshiv P. Shikerkar.		230.00
		13	1 part	Narshiv P. Shikerkar.		110.00
			4 part	Usha Narayan Shikerkar.		180.00
			8 part	Lerish Maria Fernandes.		45.00
			9 part	Carlite Cunha.		25.00
		15	5 part	Raghu Ganesh Kalekar.		50.00
				Sukdew Govind Gaonkar.		
				Rama P. Gaonkar.		
				Shammi G. Gaonkar.		
				Shamu Gaonkar.		
				Gopal Dukle Gaonkar.		
				Arjun Dukle Gaonkar.		
				Damu Okure Gaonkar.		
			10 part	Govind Kusta Gaonkar.		35.00
				Kule Ocure Rekenin.		
				Shami Gaonkar.		
				Gopal Gaonkar.		
				Bhomi Bhisso Gaonkar.		
				Borkale Sukde Gaonkar.		
			11 part	Father Pedro Xavier Ozari.		65.00
Quepem	Cotombi	5	2 part	Francisco Gomes Cotinho.		50.00
			1 part	Thomas Rodrigues.		100.00
		6	21 part	Ratnakar Krishna G. Dessai.		35.00
			22 part	Prabhakar Govind Bise.		80.00
				Narshiv G. Bhise.		
				Gangadhar Vinayak Bhise.		
				Shivanand Krishna Bhise.		
				Shambhu Dattu Bhise.		
				Anant Dattu Bhise.		
				Raghuvir Dattu Bhise.		
			15 part	Jose Martin Antao.		60.00
			12 part	Roque Felino Rodrigues.		20.00
			8 part	Focru Babu Gaunkar & Bro.		55.00
			2A part	Krishna Yessu Prabhu Dessai.		725.00
			29 part	— do —		60.00
			2 part	Antonio Valinte Silva & Bros.		135.00
				Luis Eugenio Silva.		
				Oscar Adelitu Silva.		
		15	2 part	Krishna Sakaram S. Shildekar.		85.00
				Anil Sakaram S. Shildekar.		
				Shashikant Shildekar.		
				Pradip Shildekar.		
				Dr. Vaman Ganba S. Shildekar.		
				Sadashiv Chandru S. Shildekar.		
				Pundalik Bhutto S. Shildekar.		
				Prakash Sakaram S. Shildekar.		
				Smt. Premavati Dattu P. Dessai.		
			1 part	Krishna Sakaram S. Shildekar.		130.00
				Anil Sakaram S. Shildekar.		
				Shashikant Shildekar.		
				Pradip Shildekar.		
				Dr. Vaman Ganba S. Shildekar.		
				Sadashive Chandru S. Shildekar.		
				Pundalik Butto S. Shildekar.		
				Prakash Sakaram S. Shildekar.		
				Smt. Premavati Dattu P. Dessai.		
		19	28 part	Yeshwant B. P. Dessai.		360.00
				Krishna V. P. Dessai.		
			24 part	Domingo F. Fernandes.		185.00
			14 part	Yeshwant B. Porob.		110.00
				Krishna Y. Porob.		
			22 part	Manju Lauman P. Dessai.		40.00
				Manohar Yeshwant P. Dessai.		

1	2	3	4	5	6	7
Quepem	Cotombi	19	20 part	Venque Purshottam P. Dessai.		135.00
			19 part	Vithal Purushottam P. Dessai.		145.00
				Vanku Purushottam P. Dessai.		
				Anand Dharmu P. Dessai.		
			15 part	Manohar Yeshwant P. Dessai.		150.00
				Vithal P. Dessai.		
				Vishnu Rama P. Dessai.		
				Devappa Babani P. Dessai.		
				Shiva Babani P. Dessai.		
				Narayan Raghoba P. Dessai.		
				Vinayak Babani P. Dessai.		
			16 part	Pedro Francisco Fernandes.		140.00
			17 part	Sairu Shivrani P. Dessai.		290.00
				Ramchandra Shivrani P. Dessai.		
			8 part	Albert Pereira.		230.00
				Dattu Laxman P. Dessai.		
				Sairu Shivrani P. Dessai.		
				Vidyadu Ramchandra P. Dessai.		
			6 part	Yeshwant Babu P. Dessai.		185.00
			3 part	Pedro José Afonso.		640.00
			4 part	Sara Fernandes.		15.00
		22	3 part	Sara Fernandes.		325.00
		4	2 part	Francisco Gomes Fernandes.		45.00
			17 part	Alex Fernandes.		25.00
				Quested Fernandes.		
				Pedro F. Angelina Costa.		
		4	16 part	Alex Fernandes.		2.00
				Pascoal Fernandes.		
				Quested Fernandes.		
				Pedro F. Angelina Costa.		
				Silvestre Cotinho.		
			1 part	Silvestre Cotinho.		90.00
		7	7 part	Roque Feliciano Rodrigues.		10.00
			6 part	Fecru Babu Gaokar.		10.00
			5 part	Yeshwant Babu Porob.		10.00
				Krishna Yessu Porob.		
			4 part	Claudina Rego Gomes.		15.00
		14	23 part	Conceicao Fernandes.		375.00
				Quirbino Fernandes.		
				Ildefonso Fernandes.		
				Benedita Fernandes.		
			21 part	Datta Keshav Prabhu Dessai.		45.00
				Uhase Kusta Prabhu Dessai.		
			20 part	Anant Sairu Raut Dessai.		100.00
			16 part	S. Mahadevdevalaya.		315.00
			13 part	Narayan Yesu Prabhu Dessai.		10.00
				Gansu Yesu Prabhu Dessai.		
				Monika Fernandes.		
			7 part	Smt. Gurne Ganesh Prabhu Dessai.		175.00
			3 part	Pedro Joao Afonso.		190.00
			1 part	Yeshwant Babu Prabhu Dessai.		120.00
				Krishna Babu Prabhu Dessai.		

Boundaries:

North: Village Cotombi, S. No. 14/6, 15/1, 15/3, 22/3, 19/3, 14/1, 14/3, 19/24, 6/2A.

South: S. No. 9/2, 9/3, 9/4, 9/10, 9/11, 9/12, 8/15 & road. Village Avedem, S. No. 6/2A, 14/7, 14/6, 14/3, 21/1, 19/4, 19/3, and 19/6.

East: S. No. 12/1, 12/4, 12/5, 12/6, 12/15, 12/16, 13/1, 13/4, 13/8, 13/9, 14/6, 15/1, 15/3, 15/8 and 15/10. S. No. 19/3, 19/6, 19/8, 19/17, 19/16, 19/15, 19/19, 19/20, 19/22, 14/2, 14/3, 14/6, 14/7, 14/13, 14/16, 14/20, 14/21, 14/23, 6/2A, 7/4, 7/5, 7/6, 7/7, 7/9, 7/11, 7/12, 4/1, 4/16, 4/19 & 4/2.

West: S. No. 11/2, 10/1, 10/2, 10/5, 10/4, 10/5, 9/1, 9/2, 9/3, 9/4, 9/10, 9/11, 9/12, 8/7 and 8/15. S. No. 19/3, 19/6, 19/8, 19/17, 19/16, 19/15, 19/19, 19/20, 19/22, 14/2, 14/3, 14/6, 14/7, 14/13, 14/16, 14/20, 14/21, 14/23, 6/2A, 7/4, 7/5, 7/6, 7/7, 7/9, 7/11, 7/12, 4/1, 4/16, 4/19 & 4/2.

Total 7574.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

M. S. Sail, Under Secretary (Revenue).

Panaji, 12th June, 1984.

Corrigendum

No. 22/132/82-RD

Read:— Notification No. 22/132/82-RD dated 9-11-1983 published in the Official Gazette dated 15-11-1983, Sr. II, No. 32 page 362.

In the column No. 7 of the schedule of the above notification the total area shown as "3500 square metres" should be read as "3169 square metres".

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

M. S. Sail, Under Secretary (Revenue).

Panaji, 20th June, 1984.

Public Health Department

Order

No. 5/2/82-PHD

On the recommendations of the Departmental Promotion Committee constituted for considering promotion to the post of Associate Professors under the Goa, Daman and Diu Medical Education Service Rules, 1979, the Administrator of Goa, Daman and Diu is pleased to appoint the following Assistant Professors who are presently working as Associate Professors in the Goa Medical College, Panaji, on ad-hoc basis, as Associate Professors in the same Institution, on regular basis, with effect from the dates shown against their names:—

Sr. No.	Name	Designation	Effective from
1.	Dr. Vasco de Silva.	Assistant Professor of Surgery.	15-7-1983
2.	Dr. S. B. Dixit.	Assistant Professor of Preventive & Social Medicine.	29-3-1983

By order and in the name of the Administrator of Goa, Daman and Diu.

S. V. Bhadri, Under Secretary (Health).

Panaji, 14th June, 1984.

Order

No. 5-123-83/PHD

Read: Memorandum No. 5/123-83-PHD dated 4-4-1984

On the recommendation of the Union Public Service Commission, Dr. Raj Kumar Sharma is hereby appointed to the post of Assistant Professor of Nephrology in the Goa Medical College, Panaji, in the pay scale of Rs. 1100-50-1500-EB-60-1800 plus special pay of Rs. 100/- p.m. and N.P.A. according to the prescribed rates with effect from the date of his joining the post on the terms and conditions contained in the Memorandum referred to above, until further orders.

2. The appointment is made against the post of Assistant Professor of Nephrology created under Order No. 1/16/80-PHD dated 25-8-1980.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. V. Bhadri, Under Secretary (Health).

Panaji, 21st June, 1984.

Order

No. 5/28/82-PHD

The resignation tendered by Dr. Simon Braganza Menezes, Medical Officer under the Directorate of Health Services, Panaji is accepted from the date of his relief.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. V. Bhadri, Under Secretary (Health).

Panaji, 20th June, 1984.

Order

No. 5/10/84-PHD

The appointment of Dr. Flavio Furtado to the post of Medical Officer under the Directorate of Health Services issued vide Government order of even number dated 6-4-1984 stands cancelled.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. V. Bhadri, Under Secretary (Health).

Panaji, 21st June, 1984.

Industries and Labour Department

Order

No. 28/2/84-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 5th June, 1984.

IN THE INDUSTRIAL TRIBUNAL GOA, DAMAN AND DIU, PANAJI GOA

(Before Dr. Renato de Noronha, Hon'ble Presiding Officer)

Reference No.: IT/4/83

1. Shri Anant R. Pal — Workman/Party I
V/s.

1. M/s. Goa State Co-operative Bank Limited Employer/Party II

Workman/Party I represented by Adv. A. Nigalye.

Employer/Party II represented by Adv. A. Naik.

Panaji Dated: 16-4-1984

AWARD

This is a reference made to this Tribunal by the Govt. of Goa, Daman & Diu, by its Order No. 28/5/82-ILD dated 14th January 1983. The schedule annexed to the Order of reference reads as follows:

"Whether the action of the Management of M/s. The Goa State Co-operative Bank Limited, Panaji-Goa, in terminating the services of Shri Anant R. Pal, Peon at the Bicholim Branch of the said Bank, with effect from 28-2-1980 is legal and justified?

If not, to what relief the workman is entitled to?"

2. The workman, in his statement of claim, has stated that he was employed in the services of the bank as Peon w.e.f. 21-11-1978 and has been in continuous service since 28-2-1980; he was paid monthly wages by the Agent of the Bicholim Branch, who used to take his signature on a voucher and credit his salary in his bank account No. 603 in the same bank; he has put in uninterrupted service with the employer from 21-11-1980 till 28-2-1980, date on which the Agent of the Bicholim Branch issued him a letter terminating his services; the workman raised a dispute with the employer and demanded his reinstatement w.e.f. 21-3-1980, but the bank did not reply to the said letter; then he sought the intervention of the Labour Commissioner; conciliation proceedings were taken up in the Labour Commissioner's office, which ended in failure, due to non-co-operative and adamant attitude of the employer's representative; hence, this reference. It is submitted that the bank has terminated the workman's services without any reasonable cause and for no misconduct committed by the workman. Hence, the termination is illegal and unjustified. Besides, no legal dues including retrenchment compensation was paid to the workman, which payment is compulsory under Section 25 of the I.D.A., 1947 in short the Act. He was appointed in the services of the Bank by the General Manager, but the letter of termination was issued by the Agent of the Bicholim Branch, who is not authorised to issue such letter. The action

of the said Agent is, therefore, without justification and, hence, null and void. It is prayed that the workman be reinstated with full back wages and continuity of service and given all benefits as per the contract of service between the employer and the workman. He should also be paid adequate compensation for the loss of his services, which disrupted his normal family life and caused him mental and physical torture.

3. The employer, in its written statement, raised a preliminary objection regarding the lack of jurisdiction of this Tribunal to entertain and try this case in view of Section 91 of Maharashtra Co-operative Society's Act.

On merits, it is contended that the workman was employed on daily wages and on purely temporary basis. He was never paid monthly salary, but only daily wages; he was given breaks in service and so he cannot claim uninterrupted service, nor is he entitled to any benefits under the Act. The Bank did not receive the letter falsely alleged to have been sent by the workman and, therefore, the question of replying to such letter does not arise. The services of the workman were terminated as they were no more required. The workman was appointed by the Agent and not by the General Manager and, as such, he has got full powers to terminate his services.

4. In his rejoinder, the workman, after pointing out that the verification of the written statement by the Chairman of the Bank is not proper, submits that, after the termination of the services of the workman, the employer recruited several new persons to the post of peon without offering employment to the workman.

5. Besides the issues involved in the Order of reference, the following preliminary issue was framed:

"Whether the Employer proves that this Court has no jurisdiction to entertain and try this application, in view of S. 91 of the Maharashtra Co-operative Society's Act?"

6. Both the parties rep. were heard on this preliminary issue and the same was disposed off by my order dated 22-9-1983 holding that the Tribunal had jurisdiction to entertain this reference.

On the merit, the employer led the evidence of the Manager of the Bicholim Branch and the workman's rep. examined the workman. Arguments of both the Ld. Rep. of the parties were heard and now the case is before me for passing Order.

7. It is an admitted fact that the services of the workman as peon of the Bank at Bicholim were terminated by the employer Agent at Bicholim on 28-2-1980. So far the date of his appointment is concerned, the workman has stated that he joined the services on 21-11-1978, while the employer has stated that he joined about one month later. The employer, in his cross examination, has admitted the possibility of the workman having joined the services on 21-11-1978. At any rate, even assuming for the sake of arguments that the workman joined on 21-7-1978, it is obvious that, at the time of termination of his services, he was putting in more than one year's service, and this service was continuous, as per the statement of the workman. The employer, although denying this contention, did not bring documentary evidence in his possession that there were breaks in the service of the workman, as contended by him. The workman has also stated that he was a monthly rated worker and that his salary was paid every month alongwith other employees of the bank. There was no suggestion in cross-examination to the contrary. Otherwise, this does not make any difference for the purpose of Section 25F of the Act if the workman is daily rated or monthly paid. What is required is that he should put in not less than one year's continuous service in order that Section 25F be attracted.

8. Section 25B of the Act defines continuity of service as including even interruption due to sickness and provides in sub-section 2(a)(ii) that it will be deemed that the workman has worked continuously for a period of one year if he has

worked for 240 days with the employer within the period of one year.

9. The conditions laid down in Section 25F had to be complied with by the employer while terminating the services of the workman, which the employer admittedly had failed to do. Such conditions are of mandatory nature and failure to comply with them at the time of termination makes the order of termination invalid and inoperative. The Supreme Court in Hospital Mazdoor Sabha case, reported in 1960 I LLJ page 251, has laid down the principle that the requirements of Section 25F are of mandatory nature and failure to comply with them makes the order of retrenchment invalid and inoperative in law.

10. In the instant case, admittedly the workman was not given notice of termination one month in advance, nor paid in lieu of such notice, as required by clause (a) of Section 25F of the Act; admittedly, he was not paid compensation, as required by clause (b) of the said provision. The above 2 clauses are conditions precedent to the validity of retrenchment and failure to comply with them makes the retrenchment order invalid and inoperative.

11. It cannot be disputed that, as per the definition of retrenchment given in Section 2(00) of the Act, the termination of the services of the workman in our case amounts to retrenchment and, therefore, attracts the provision of Section 25F of the Act.

12. If the retrenchment order is invalid and inoperative in law, it is to be deemed that the workman has continued to be in service of the employer and, consequently, he is entitled to full back wages with continuity of services till his reinstatement.

13. In view of what has been stated above, I answer to the reference by passing the following order:

ORDER

The termination of the services of the workman is illegal and, therefore, he is entitled to be reinstated with continuity of services and full back wages. Costs of Rs. 300/- to be paid to the workman by the employer bank.

Dr. Renato de Noronha
Presiding Officer
Industrial Tribunal

Law Department (Establishment)

Notification by the High Court of Judicature,
Appellate side, Bombay

No. A.1202(G)/84

I

The Honourables, the Chief Justice and Judges grant Shri Alvaro de Noronha Ferreira, District and Sessions Judge, Panaji, provisionally earned leave for 15 days from 15 June, 1984 to 29 June, 1984.

On return from leave, Shri Ferreira is reposted as District and Sessions Judge, Panaji.

II

Shri R. K. Batta, Additional Sessions Judge and Civil Judge, Senior Division, Mapusa, is kept in charge of the following posts, in addition to his own duties, during the leave period of Shri Ferreira:—

- 1) The District and Sessions Judge, Panaji,
- 2) The District and Sessions Judge, Margao and
- 3) The Additional Sessions Judge and Civil Judge Senior Division, Margao.

High Court, Appellate Side,
Bombay, 8 June, 1984.

S. M. Daud
Registrar.